

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD ROY SCOTT,

Plaintiff,

v.

KING COUNTY,

Defendant.

No. MC05-5029

ORDER PERMITTING CASE TO PROCEED

This matter comes before the Court *sua sponte*. On April 5, 2005, the United States District Court judges who sit in Tacoma entered an order dismissing a number of plaintiff's causes of action and barring future litigation unless plaintiff provides a signed affidavit, along with the proposed complaint, "verifying under penalty of perjury that none of the issues raised in the proposed complaint have been litigated in the past by the plaintiff." On June 1, 2006, the Clerk of Court received a complaint, a motion to proceed *in forma pauperis*, a written consent for payment of costs, and a declaration signed by Mr. Scott. Dkt. # 66. These documents are now before the undersigned for review pursuant to the terms of the bar order.¹

Plaintiff asserts a § 1983 claim and pendent state law claims challenging the

¹ Plaintiff filed a notice of change of address dated May 10, 2006, and requested a forty-five day stay of all of his cases because he had been moved to the King County Jail and apparently lacked the resources necessary to pursue this litigation. The undersigned has therefore postponed consideration of the matters pending in MC05-5029.

ORDER

1 procedures used to enforce a finding of contempt against plaintiff in April and May 2006. In
2 particular, plaintiff objects to the enforcement of a contempt finding while an appeal was
3 pending and the lack of procedures to lift the contempt if and when plaintiff complied with the
4 Superior Court's order.

5 The undersigned finds that the issues raised in the above-captioned matter have not
6 been previously litigated by plaintiff and may proceed subject to the other requirements imposed
7 by the "Order Adopting Report and Recommendation," dated April 5, 2005. The Clerk of Court
8 shall docket this order in MC05-5029 and open a new cause of action containing all documents
9 related to plaintiff's June 1, 2006, submission (Dkt. # 66).

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11 DATED this 26th day of June, 2006.

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14 Robert S. Lasnik,
15 Chief Judge, United States District Court
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